

REMARKS

This application has been carefully reviewed in light of the Office Action dated August 24, 2004. Claims 1 to 20, 22 to 39, 41 to 57 and 59 are in the application, of which Claims 1, 15, 23, 34, 42 and 52 are independent. Reconsideration and reexamination are respectfully requested.

Turning first to a formal matter involving the drawings, it is respectfully requested for the Examiner to give his approval for the formal drawings filed with a Letter dated May 21, 2001.

Turning to the Office Action, Claims 1 to 14, 23 to 33 and 42 to 51 were rejected under 35 U.S.C. § 103(a) over U.S. Patent 5,923,906 (Zander) in view of a press release entitled "Kodak to Sponsor Imaging Center at Olympics" (hereinafter "Kodak"); and Claims 15 to 22, 34 to 41 and 52 to 59 were rejected over Zander in view of Kodak and further in view of U.S. Patent 6,337,712 (Shiota). The rejections are respectfully traversed, for at least the reason that the applied references fail to disclose or fairly suggest the erasure of digital data contained on a digital storage medium that has been returned after rental. In this regard, the subject matter of Claims 21, 40 and 58 has been incorporated into each of the independent claims herein so as to emphasize this feature. As a consequence, withdrawal of the rejections is respectfully requested, as detailed more fully below.

The invention concerns rental of a removable storage medium and involves loaning of the removable digital storage medium to a customer who stores digital data

thereon, receiving a return of the removable digital storage medium from the customer, and processing the digital data stored on the returned removable digital storage medium by erasing the digital data. By virtue of the foregoing, in which there is an erasure of digital data contained on a digital storage medium that has been returned after rental, it is possible to facilitate a rental system which provides a simple business structure from the perspective of the consumer, while ensuring privacy for the consumer's recorded information which is often image information.

In the rejection of Claims 21, 40 and 58 (found at paragraph 37 on page 8 of the Office Action), the Office Action took the position that "Zander, Kodak and Shiota disclose wherein the processing step further comprises the step of erasing the digital data contained on the received removable digital storage media". Applicants respectfully disagree. All of Zander, Kodak and Shiota have been reviewed carefully, but there is absolutely no disclosure, or even a fair suggestion, of an erasure of digital data contained on a digital storage medium that has been returned after rental.

Zander, for example, is directed to a film-based system, and it is therefore inconceivable that it might contain any disclosure pertinent to erasure of a digital storage medium.

Kodak and Shiota are both directed to digitally-stored image data, but neither contains any mention of erasure or deletion of such image data, much less erasure or deletion of digital data from a storage medium that has been returned after rental.

It is therefore respectfully submitted that the claimed invention would not have been obvious from any permissible combination of Zander, Kodak and Shiota, and allowance of the claims is respectfully requested.

It should be noted that all the claims have been amended so as to change the word "media" to the singular word "medium", where appropriate given the context of the claim, so as to cover rental of either a single medium or plural media.

Paragraph 40 on page 9 of the Office Action indicates that Japan 2001-325568 is the "best foreign prior art" and that it "discloses a digital camera vending and processing system". Applicants would respectfully point out that Japan 2001-325568 is not "prior" art, since it was published after the filing date of the subject application; its content is therefore of no moment. A brief investigation shows that there is a corresponding English-language publication at U.S. Patent Application Publication 2001/0041987 (Ichikawa, hereinafter "the '987 published application"). The '987 published application was filed in the United States on April 30, 2001, and is therefore also not "prior" art. For completeness of the record, it is respectfully requested for the Examiner to list the '987 published application on a form PTO-982, so that the '987 published application is listed on the face of any patent to issue from the subject application.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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